IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8224 OF 2005

Shashank Suryaprakash Somal ... Petitioner

Versus

The Principal, SIES & Ors. ... Respondents

Mr. Y.R. Shah for Petitioner.

Mr. R.D. Rane, Government Pleader for Respondent Nos. 2 to 4.

CORAM : F.I. REBELLO &
MRS R.S. DALVI.JJ.
DATED : DECEMBER 01, 2005

P.C.

. The Petitioner has obtained caste certificate as belonging to the backward caste. The caste certificate merely demonstrates that the Committee has issued the certificate based on the caste certificate of the Petitioner's father who is permanent resident of State of Andhra Pradesh. The Law after the judgement in the case of Marri Chander, is well settled that the migrant is not entitled to benefits of reservation other than in Central Government and or its agencies in the state of migration. The Government of India, for limited purpose, have issued directions whereby the S.D.O.

in the state of migration is entitled, if the caste certificate has been issued to the father of the Applicant in the state of origin to overcome difficulty faced by such persons who otherwise would have to go to their state of Origin for getting caste certificate to issue caste certificate. That does not mean that once the caste certificate is issued in the migrant state, the said person would be entitled to the benefits in the migrant state. Such person will be entitled to such benefits in the state where his father has his permanent residence. There is no departure from this law whether it be a case of S.C. or S.T. or O.B.C. The ratio will apply to all cases of migrants. For the aforesaid reasons, there is no merit in this petition. which is accordingly rejected.

(F.I. REBELLO,J.)

(MRS. R.S. DALVI,J.)